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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/754,301	01/05/2001	Masayoshi Hashima	1075.1137/JDH	3311

21171 7590 10/04/2005

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EXAMINER

STEVENS, THOMAS H

ART UNIT PAPER NUMBER

2123

DATE MAILED: 10/04/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

09/754,301

Applicant(s)

HASHIMA ET AL.

Examiner

Thomas H. Stevens

Art Unit

2123

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 22 June 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-21 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-21 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

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## DETAILED ACTION

1. Claims 1-21 were examined.

### ***Section I: Non-Final Rejection (3<sup>rd</sup> Office Action)***

#### ***Claim Rejections - 35 USC § 102***

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

4. Claims 1-21 are rejected under 35 U.S.C. 102(a) as being anticipated by Pai et al., "ACME, aTelerobotic Active Measurement Facility" (1999); (hereafter Pai). Pai teaches developing a robotic measurement facility (abstract).

5. **Per claims 1,11, 21:** mechanism designing section for three-dimensionally designing a mechanism comprising an actuator and a sensor (pg. 4, section 3.1); for simulation (pg. 6); an embedded software developing section for developing a control program (pg. 1, abstract, 3<sup>rd</sup> paragraph); imputing designing data (controlled via the Internet, thus source of data: pg.1, abstract, 3<sup>rd</sup> paragraph); transferring actuator instruction data and sensor data between 3-d mechanism model (pg. 5-6, section 3.1).

6. **Per claim 2,12:** inputs result of the simulation to be reflected on the designing of the mechanism (pg. 1, abstract, 1<sup>st</sup> paragraph).

Art Unit: 2123

7. **Per claim 3,13:** creating embedded software status-transitions or table of specifications (pg. 6, figure; part of Java).
8. **Per claims 4,5,7,14,15,17,21:** ability to stop plural task (ability to control tasks: pg. 4, section 3).
- 9 **Per claim 6,16,21:** embedded software includes a microcomputer chip in which said embedded software is embedded (ACME Server: pg. 4, section 3); synchronizing tasks (pg. 5, 2<sup>nd</sup> paragraph).
10. **Per claim 8,18:** simulation section (pg. 1, abstract, 1<sup>st</sup> paragraph); prioritizing task (*MPEP 2144.04, Section IV, C . Rearrangement of Parts*).
11. **Per claim 9,19:** actuator instruction signal for 3D model from embedded software and sensor signal, which is obtained as the result of simulation response (pg. 4-5, section 3.10).
10. **Per claim 10,20:** analyzing and displaying (pg. 5) variation of actuator instruction and sensor signal from 3D simulation in real-time (pg. 9. 3<sup>rd</sup> paragraph).

***Section II: Response to Applicants' Arguments (2<sup>nd</sup> Office Action)***

***Specification***

12. The Office acknowledges and accepts amendment.

**102/103**

13. The applicants are thanked for addressing these issues. Rejections are withdraw; however, an updated search was conducted based on the amended claims.

Art Unit: 2123

***Correspondence Information***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Mr. Tom Stevens whose telephone number is 571-272-3715, Monday-Friday (8:00 am- 4:30 pm) or contact Supervisor Mr. Leo Picard at (571) 272-3749. Central Fax number is 571-273-8300.

Any inquiry of a general nature or relating to the status of this application should be directed to the TC 2100 Group receptionist: 571-272-2100.

September 28, 2005

  
Paul L. Rodriguez 9/29/05  
Primary Examiner  
Art Unit 2125

THS